

REMARKS

The applicant wishes to thank the Examiner for his examination of the present application. Claims 1-3, 12-24, 26-31, 40-44, 46-52, and 54-56 are currently pending. Claims 4-11, 25, 32-39, 45, and 53 have been cancelled

35 U.S.C. 112

Claims 13 and 14 have been amended to indicate that the video image stream is a time division multiplexed image stream. With these changes, it is believed that the rejection for claims 13-16, 23-28, 41-44 and 41-56 is overcome

35 U.S.C. 101

Independent claims 29 and 41 have been amended to indicate that the computer program product is on a tangible computer readable medium. With these amendments, it is believed that the rejection is overcome.

35 U.S.C. 102(e)

The office action rejects claims 1-6, 8-9, 11-14, 16, 21, 28-34, 36-37, 39-42, 49 and 56 under 35 U.S.C. 102(b) as being anticipated by the Goodridge article. Please note that claims 4-11, 25, 32-39, 45, and 53 have been cancelled.

The Goodridge article is directed to “a Content-based Software Demultiplexing of Surveillance Video.” In section 6 of the article entitled “Reference Image Adaptation” the article states that one possible approach to updating a camera view over time is to “replace the reference image each time a new image is classified as belonging to the same view.” The article goes on to state that this “approach will fail irreversibly in the event of

a single false-positive detection” and “it is usually better to update the reference image slowly—for instance, by using an IIR filter to change the pixel values.”

In contrast to the solution taught by the Goodridge article the independent claims have been amended to include two thresholds. The first threshold is a mismatch threshold. A mismatch value is determined between each camera’s representative video image and a current image being classified and the current image will be assigned as the representative image for the camera having the lowest mismatch value that is below the mismatch threshold. Claim 1 also includes a discard threshold. The discard threshold, which is not taught by the reference to Goodridge, allows the system to automatically discard images that are corrupted due to noise or the conversion process from analog-to-digital video. If the mismatch value for all of the cameras is above the discard threshold the image is discarded. This additional threshold helps to overcome the limitation suggested by the Goodridge reference. The discard threshold helps to reduce false-positive identifications. Thus, the independent claims are not anticipated by the Goodridge reference.

In addition, claims 3, 13, 31, and 41 further adds the limitation of “querying a user to associate the new image as the representative image of a camera or to discard the new image if each of the mismatch values are above a mismatch threshold and at least one mismatch value is below a discard threshold.” See Fig. 5 and the accompanying text beginning at page 16 of the application for support. Again, this limitation is not suggested or taught by the Goodridge article and again, this limitation substantially reduces, if not eliminates the chances of having a false-positive identification. Thus, the claims teach

away from the suggestion by Goodridge that updating the reference images is a flawed approach.

Further, applicant wishes to note that in the office action under section 35 USC 103, the office action suggests that the Ahmed reference teaches a discard threshold. Applicants note that the discard threshold does not “discount miniscule changes between images,” but rather identifies images that have been corrupted. Thus, the Ahmed patent (U.S. 6,259,617) does not teach a discard threshold as suggested by the office action and therefore, this limitation is not suggested or taught by the cited prior art references and therefore is not obvious in view of these references. Thus, claims 1-3, 12-14, 16, 21, 28-31, 40-42, 44, 49, and 56 are allowable over the art of record.

35 U.S.C. 103

The office action indicates that claims 4,6,7,10,14,15,19,20,22-25,35,38,43,47-48 and 50-53 are obvious over Goodridge either alone or in combination with U.S. Patent 6,259,817 to Ahmad. Claims 4-11, 25, 32-39, 45 and 53 have been cancelled from the present application

As noted above in section 35 U.S.C. 102(e), the Goodridge reference fails to teach a discard threshold wherein if all of the mismatch values are above the discard threshold the currently processed image is discarded. The Patent of Ahmed does not add to the teaching of Goodridge in this respect. Rather, the Ahmed patent as suggested teaches “discounting miniscule changes between images.” This is in stark contrast to discarding an image if all of the mismatch values are above a discard threshold as required by the claims. Rather than identifying miniscule changes in order to save memory space, the present invention as claimed identifies images that have been corrupted.

Applicants also wish to point out that the term sub-sampling as used in claim 19 is distinct from selection of a portion of an image as selected by the office action. Sub-sampling an image implies that an algorithm is used to create a lower resolution version of the whole image and not merely the selection of a sub-region of the image.

Applicants also note that allowing a user to set the thresholds, including both the discard threshold and the mismatch threshold is not taught or suggested by the prior art references.

Additionally, other reasoning proposed within the Office Action is flawed, since the Ahmed reference does not teach a discard threshold as is used in the claims. Thus, since the prior art references either alone or in combination fail to teach each and every limitation of the claims, claims 14,15,19,20,22-24,43,47-48 and 50-52 are allowable over the art of record for at least the same reasons as those stated above.

It is believed that all of the rejections have been addressed and that the application is now in condition for allowance. Thus, claims 1-3, 12-24, 26-31, 40-44, 46-52, and 54-56 are patentable over the art of record. Reconsideration of the claims and issuance of a notice of allowance are respectfully requested.

If any matter arises which may expedite issuance of a notice of allowance, the Examiner is requested to call the undersigned, at the telephone number given below.

It is believed that a one month extension of time is required for this application, and the Applicants respectfully petition for such an extension. Please charge deposit account number 19-4972 for the extension fees. If any additional fees are required for the timely consideration of this application, please charge deposit account number 19-4972.

Respectfully submitted,

A handwritten signature in black ink, reading "John J. Stickevers", written over a horizontal line.

John J. Stickevers
Registration No. 39,387
Attorney for Applicant

BROMBERG & SUNSTEIN LLP
125 Summer Street
Boston MA 02110-1618
Tel: 617 443 9292 Fax: 617 443 0004

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